IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.5096 OF 2006

The Sangli Miraj and Kupwad Cities Municipal Corporation at Sangli.. .. Petitioner. (Orig.Deft No.1)

Vs

1. Shri Sahebpir Hussain Chaman Malik and ors. .. Respondents (No.1-Orig.Plff & Nos 2 & 3 -defts)

Mr G.H.Keluskar, for the petitioner.

CORAM : D.B.BHOSALE,J.
DATE : 22.08.2006

PC:

1. Heard the learned counsel for the parties.

2. The petitioner has impugned the order dated 7.4.2006 passed by the trial Court allowing the application at Exhibit-106 in regular civil suit no.22 of 2004 filed by the respondent-plaintiff seeking the amendment of the pleadings. The respondent-plaintiff was directed to carry out the amendment immediately by the said order, which was passed on 7.4.2006. The plaintiff must have carried out the amendment by now. Be that as it may, I need not examine the merits of the contentions advanced by the petitioner in the present writ petition and I am satisfied that interest of justice would be served if all contentions are kept open to raise in the further proceedings if the orders in the

suit are adverse to the petitioner and if he carries that order in appeal. The writ petition is accordingly disposed of. All contentions in the petition, as aforestated, are kept open to be raised at an appropriate stage in the appropriate proceedings.

(D.B.BHOSALE,J.)